

BASE:

NAS JACKSONVILLE

SPECIAL AREA:

TYPE OF ACTION:

CIVIL #123 DEED OF CESSION

CONTRACT NUMBER:

PARTY INVOLVED:

COUNTY OF DUVAL

DATE OF ACTION:

2/20/1940

**DOCUMENT**

MEMORANDUM FROM DEPARTMENT OF NAVY

DEED OF CESSION

MEMORANDUM FROM DEPARTMENT OF NAVY

**DATE # OF PAGES**

3/11/1940 3

2/20/1940 4

2/10/1940 3

---

**10**

---

NA/22-Jacksonville,  
Fla. (391212)C

DEPARTMENT OF THE NAVY

WASHINGTON

MAR 11 1940

Sir:

An Act of Congress approved February 1, 1940 (53 Stat., Part I, Chap. 18), provides that in any case where a state cedes jurisdiction over lands within its borders to the United States, the head or authorized officer of any department or independent establishment or agency of the Government having custody of such lands shall, if such jurisdiction be accepted on behalf of the United States, file a notice of such acceptance with the Governor of the State ceding such jurisdiction.

Pursuant to the provisions of the aforesaid act, jurisdiction is hereby accepted on behalf of the United States in the manner and form called by a certain Deed of Cession from the Governor of Florida to the United States of America, dated February 20, 1940, over certain lands described therein which are in the custody of the Navy Department, to wit,

"The following lands in Township 3 South, Range 26 East, Duval County, Florida, described as: All of the Grant to Wm. Traverse (Section 39) and all of Section 23 except portions of said sections conveyed by the Jacksonville Board of Trade to the State of Florida by deed recorded in the Current Public Records of Duval County, Florida, in Deed Book 44, Page 282; except portions of the aforesaid sections conveyed by Joseph H. Phillips to the United States of America by deeds recorded in the Current Public Records of Duval County, Florida, in Deed Book 44, page 616; Deed Book 32, Page 34; and Deed Book 121, Page 136; except Lot 82 of the Black Point Tract, said lot being described in a deed recorded in the former Public Records of Duval County, Florida, in Book (2) s.p.m.w. Page 233; except any part of the right of way occupied by the Atlantic Coast Line Spar Track from Yukon to Camp Foster which lies between the West boundary of said Section 39 and the West boundary of the present U. S. Military Reservation, said right of way being thirty (30) feet wide and extending fifteen (15) feet each side of

the center line of said Spur Track when measured at right angles thereto; and also excepting any portion of the right of way for State Road #169, which lies between the West boundary of said Section 39 and the West boundary of the present Camp Foster Military Reservation, said State Road #169 having a right of way eighty (80) feet wide extending forty feet each side of the center of the pavement when measured at right angles thereto, also all of that portion of Section 22 which lies East of State Road #3 (U.S. Highway #17) and North of the right of way occupied by the Atlantic Coast Line Railroad Spur Track running from Yukon to Camp Foster, also all of that portion of Section 27 which lies East of the right of way of State Road #3 (U.S. Highway #17), also all of that portion of Section 28 which lies West of the right of way of State Road #3 (U.S. Highway #17) and East of the right of way of the main line of the Atlantic Coast Line Railroad, also all of that part of the grant to A.E. Ferguson, Section 43, which lies East of the right of way of the main line of the Atlantic Coast Line Railroad except that portion of said grant occupied by the right of way for State Road #3 (U.S. Highway #17) the right of way for said highway being 100 feet wide extending 50 feet each side of the center line of the pavement when measured at right angles thereto, and also all of that portion of the grant to John H. McIntosh, Section 44, lying East of the right of way of the main line of the Atlantic Coast Line Railroad except that portion of said grant which is occupied by the right of way of State Road #3 (U.S. Highway #17) said right of way being 100 feet wide and extending 50 feet each side of the center line of the pavement when measured at right angles thereto; and also except any portion of the right of way of Duval County Road #5 which lies in said McIntosh Grant; Duval County Road #5 being a road that was formerly part of State Road #3. It intersects State Road #3 approximately 250 feet North of the Southerly boundary of said McIntosh Grant and runs from said intersection point in a Southerly direction to the Clay County line, said Duval County Road

NA/EMI-Jacksonville, Fla. (391212)U

#5 has a right of way 100 feet wide extending 50 feet each side of the center line of the pavement when measured at right angles thereto. Being more particularly described in Declaration of Taking filed November 28, 1939, in the United States District Court for the Southern District of Florida, Civil No. 123."

The above-described lands were acquired for naval aviation purposes at Jacksonville, Florida, pursuant to the provisions contained in the Public Works Authorization Act approved April 25, 1939 (53 Stat., Part I, Chap. 87).

Respectfully,

Charles E. Egan

Secretary of the Navy.

His Excellency,  
The Governor of Florida,  
Tallahassee, Florida.

Q10-15

DEED OF CESSION

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, the United States of America has acquired all that tract, piece or parcel of land situate, lying and being in the County of Duval, State of Florida, described as follows:

The following lands in Township 3 South, Range 26 East, Duval County, Florida, described as: All of the Grant to Wm. Traverse (Section 39) and all of Section 23 except portions of said section conveyed by the Jacksonville Board of Trade to the State of Florida by deed recorded in the Current Public Records of Duval County, Florida, in Deed Book 44, Page 282; except portions of the aforesaid sections conveyed by Joseph H. Phillips to the United States of America by deeds recorded in the Current Public Records of Duval County, Florida, in Deed Book 44, page 616; Deed Book 52, Page 34; and Deed Book 121, Page 136; except Lot 82 of the Black Point Tract, said lot being described in a deed recorded in the former Public Records of Duval County, Florida, in Book (E) s.p.m.w. Page 233; except any part of the right of way occupied by the Atlantic Coast Line Spur Track from Yukon to Camp Foster which lies between the West boundary of said Section 39 and the West boundary of the present U.S. Military Reservation, said right of way being thirty (30) feet wide and extending fifteen (15) feet each side of the center line of said Spur Track when measured at right angles thereto; and also excepting any portion of the right of way for State Road #169, which lies between the West boundary of said Section 39 and the West boundary of the present Camp Foster Military Reservation, said State Road #169 having a right of way eighty (80) feet wide extending forty (40) feet each side of the center of the pavement when measured at right angles thereto, also all of that portion of Section 22 which lies East of State Road #3 (U.S. Highway #17) and North of the right of way occupied by the Atlantic Coast Line Railroad Spur Track running from Yukon to Camp Foster, also, all of that portion of Section 27 which lies East of the right of way of State Road #3 (U.S. Highway #17), also all of that portion of Section 28 which lies West of the right of way of State Road #3 (U.S. Highway #17) and East of the right of way of the main line of the Atlantic Coast Line Railroad, also all of that part of the grant to A.E. Ferguson, Section 43, which lies East of the right of way of the main line of the Atlantic Coast Line Railroad except that portion of said grant occupied by the right of way

for State Road #3 (U.S. Highway #17) the right of way for said highway being 100 feet wide extending 50 feet each side of the center line of the pavement when measured at right angles thereto, and also all of that portion of the grant to John H. McIntosh, Section 44, lying East of the right of way of the main line of the Atlantic Coast Line Railroad except that portion of said grant which is occupied by the right of way of State Road #3 (U.S. Highway #17) said right of way being 100 feet wide and extending 50 feet each side of the center line of the pavement when measured at right angles thereto; and also except any portion of the right of way of Duval County Road #5 which lies in said McIntosh Grant; Duval County Road #5 being a road that was formerly part of State Road #3. It intersects State Road #3 approximately 250 feet North of the Southerly boundary of said McIntosh Grant and runs from said intersection point in a Southerly direction to the Clay County line, said Duval County Road #5 has a right of way 100 feet wide extending 50 feet each side of the center line of the pavement when measured at right angles thereto. Being more particularly described in Declaration of Taking filed November 28, 1939, in the United States District Court for the Southern District of Florida, Civil No. 123.

WHEREAS, said lands have been acquired and are to be used for the site of a Naval Air Station in Duval County, Florida; and

WHEREAS, application in writing has been made by the said United States to me, Fred P. Cone, Governor of the State of Florida, to cede to the said United States jurisdiction over said lands.

NOW, THEREFORE , I, Fred P. Cone, Governor of the State of Florida, in the name and by the authority of said State and pursuant to the statutes of said State in such cases made and provided, do hereby cede to the United States of America, exclusive jurisdiction over said lands so acquired;

PROVIDED, HOWEVER, that said cession of jurisdiction is made upon the express condition that the said State of Florida

retains and shall have concurrent jurisdiction with the United States in and over said lands and every portion thereof so far that all process, civil or criminal, issuing under authority of said State of Florida, or of any of the Courts or judicial officers thereof, may be executed by the proper officer thereof upon any person or persons amenable to the same, within the limits and extent of said lands in like manner and like effect as if said statutes of the State of Florida had never been passed and this instrument had never been executed; saving, however, to the United States security to their property within said limits and extent and exemption of the same and of said lands from any taxation under authority of the State of Florida while the same shall continue to be owned and occupied by the United States for the purposes above expressed and not otherwise, and provided further, that this cession is made and shall in all things be subject to the terms and effect of the statutes of the State of Florida in such cases made and provided the same as if such statutes were herein fully set forth.

IN TESTIMONY WHEREOF, I, Fred P. Cone, Governor of the State of Florida, have hereunto set my hand and caused this instrument to be countersigned by the Secretary of State and sealed with the Great Seal of the State of Florida, at the Capitol, at Tallahassee, this 20<sup>th</sup> day of February, in the year of Our Lord, One Thousand Nine Hundred and Forty.

  
GOVERNOR OF THE STATE OF FLORIDA.



  
SECRETARY OF STATE OF THE STATE  
OF FLORIDA.

STATE OF FLORIDA, )  
 : ss  
OFFICE SECRETARY OF STATE. )

I, R. A. Gray, Secretary of State of the State of  
Florida, do hereby certify that the foregoing Deed of Cession  
has been duly recorded in this office in Deed Book 9,  
pages 448-449-450 + 451.



Given under my hand and the Great Seal  
of the State of Florida, at Tallahassee, the Capital, this 21st  
day of February, A. D. 1940.

~~SECRETARY OF STATE.~~



DEED OF CESSION

From

STATE OF FLORIDA,

To

UNITED STATES OF AMERICA.

RA/EE-Jacksonville, Fla. (391212)U

DEPARTMENT OF THE NAVY

WASHINGTON

FEB 10 1940

My dear Governor Cone:

Pursuant to authority contained in Acts of Congress approved April 25, 1939 (53 Stat., Part I, Chap. 87), May 25, 1939 (53 Stat., Part I, Chap. 149), and February 26, 1931 (46 Stat., 1421; 40 U.S.C., Sec. 258a), the United States of America acquired a tract of land containing approximately 1939.8 acres of land in Duval County, Florida, by condemnation for a Naval Air Station, Jacksonville, Florida.

The land above mentioned was acquired by condemnation proceedings in the case of the "United States of America, Petitioner, v. 1939.8 acres of land, more or less, in the County of Duval and State of Florida, et al., Defendants", filed November 28, 1939, in the United States District Court for the Southern District of Florida, Civil No. 123. The site acquired by the above-mentioned proceedings is shown on the enclosed print.

This land was acquired by gift from the Duval County Air Base Authority, acting for the State of Florida. In order to expedite the acquisition of the property, the condemnation proceedings were brought in the name of the United States of America but the State of Florida actually furnished the cost price which was deposited into the Registry of the Court.

The title of the United States of America in and to the property described has been approved by the Attorney General of the United States. Before naval air facilities are constructed on the site the Navy Department requires that cession of exclusive jurisdiction be granted to the United States of America by the State of Florida in accordance with Section 7, Article 2, Chapter I, Title II, Compiled General Laws of Florida, 1927.

Formal application is hereby made for such cession of exclusive jurisdiction by the State of Florida to the United States of America over the area described as follows:

The following lands in Township 3 South, Range 26 East, Duval County, Florida, described as: All

of the Grant to Wm.Treverser (Section 39) and all of Section 23 except portions of said section conveyed by the Jacksonville Board of Trade to the State of Florida by deed recorded in the Current Public Records of Duval County, Florida, in Deed Book 44, Page 282; except portions of the aforesaid sections conveyed by Joseph H. Phillips to the United States of America by deeds recorded in the Current Public Records of Duval County, Florida, in Deed Book 44, Page 616; Deed Book 52, Page 34; and Deed Book 121, Page 136; except Lot 82 of the Black Point Tract, said lot being described in a deed recorded in the former Public Records of Duval County, Florida, in Book (8) s.p.m.v. Page 233; except any part of the right of way occupied by the Atlantic Coast Line Spur Track from Yukon to Camp Foster which lies between the West boundary of said Section 39 and the West boundary of the present U.S. Military Reservation, said right of way being thirty (30) feet wide and extending fifteen (15) feet each side of the center line of said Spur Track when measured at right angles thereto; and also excepting any portion of the right of way for State Road #169, which lies between the West Boundary of said Section 39 and the West boundary of the present Camp Foster Military Reservation, said State Road #169 having a right of way eighty (80) feet wide extending forty (40) feet each side of the center of the pavement when measured at right angles thereto, also all of that portion of Section 22 which lies East of State Road #3 (U.S. Highway #17) and North of the right of way occupied by the Atlantic Coast Line Railroad Spur Track running from Yukon to Camp Foster, also all of that portion of Section 27 which lies East of the right of way of State Road #3 (U.S. Highway #17), also all of that portion of Section 28 which lies West of the right of way of State Road #3 (U.S. Highway #17) and East of the right of way of the main line of the Atlantic Coast Line Railroad, also all of that part of the grant to A.E. Ferguson, Section 43, which lies East of the right of way of the main line of the Atlantic Coast Line Railroad except that portion of said grant occupied by the right of way for State Road #3 (U.S. Highway #17) the right of way for said highway being 100 feet wide extending 50 feet each side of the center line of the pavement when measured at right angles thereto, and also all of that portion of the grant to John E. McIntosh, Section 44, lying East of the right of way of the main line of the Atlantic Coast Line Railroad except that portion of said grant which is occupied by the right of way of State Road #3 (U.S. Highway #17) said right of way being

RA/EM-Jacksonville, Fla.(391212)U

100 feet wide and extending 50 feet each side of the center line of the pavement when measured at right angles thereto; and also except any portion of the right of way of Duval County Road #5 which lies in said McIntosh Grant; Duval County Road #5 being a road that was formerly part of State Road #3. It intersects State Road #3 approximately 250 feet North of the Southerly boundary of said McIntosh Grant and runs from said intersection point in a Southerly direction to the Clay County line, said Duval County Road #5 has a right of way 100 feet wide extending 50 feet each side of the center line of the pavement when measured at right angles thereto. Being more particularly described in Declaration of Taking filed November 28, 1939, in the United States District Court for the Southern District of Florida, Civil No. 123.

A certified copy of the opinion of the Attorney General of the United States dated December 12, 1939, stating that a valid title to the lands in question is now vested in the United States of America is forwarded for your convenience.

The Navy Department would appreciate your good offices in the matter of granting the cession of jurisdiction covered by this application at the earliest practicable date.

Respectfully,

Louis Compton

Acting Secretary of the Navy.

His Excellency,  
The Governor of Florida,  
Tallahassee, Florida.

Enclosures 2